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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.68 OF 2007
IN
SECOND APPEAL NO.1535 OF 2005

Atmaram Jayram Ambre & Ors. ...Applicants
V/s.
Atmaram Sakharam Ambre & Anr. ...Respondents

Mr.H.S. Shreepad Murthy, Advocate, for the Applicants.

Mr.A.A. Garge, Advocate, for Respondent Nos.1 & 2.

CORAM : ABHAY S. OKA, J.

DATE : 20TH DECEMBER,2007.

P.C.:

1. Heard the learned Advocates appearing for the parties. Prayer (a) of the application cannot be granted as it will have effect of granting final relief at this stage. Hence, prayer (a) is rejected. However, as the Second Appeal has been admitted for final hearing, considering the facts and circumstances of the case, the respondents will have to be restrained from creating any third party interests in respect of the suit land.

2. Hence the Civil Application is disposed of by passing following order:-

"O R D E R"

(a). Prayer (a) of the Civil Application is rejected.

(b). Till the disposal of the Second Appeal, the respondents are restrained from creating third party interests in respect of the suit land.

(c). There will be no order as to costs.

[ABHAY S. OKA, J.]